

REMARKS

Applicants request reconsideration of the application in view of the above amendments and the following remarks. Claims 1 to 26 were pending prior to this response. Claim 1 was amended to add the features of claim 4, canceled. It is believed that no new matter has been added by way of any amendments provided herein.

Claim Rejections – 35 USC § 102-103

The amended claim 1 contains the feature of controlling the mechanical properties independently of density of the cementing composition slurry and further comprises a blend having a packing volume fraction of at least 0.78. Nothing in cited prior art discloses such features.

Cementing composition of claim 1 comprises cement, flexible particles and filler, wherein cement is only presented in fine particles and flexible particles and filler can be alternatively presented in medium and/or coarse particles. Regarding this composition, it is possible by fixing the slurry density of the cementing composition and by adjusting the percentage of cement, flexible particles and filler to adjust the mechanical properties of the set cement and especially the Young's modulus of the set cement (Examples 1 to 6 reflect this feature) by having a packing volume fraction of the blend of at least 0.78. None of the cited prior art teaches on adjustment of mechanical properties independently of cement composition slurry density and there is no motivation to do so for a packing volume fraction of at least 0.78.

Applicants believe this reply to be fully responsive to all outstanding issues. This paper is submitted in response to the Office Action dated February 13, 2008 for which the four months

date for response is June 13, 2008. Please apply any charges not covered, or any credits, to Deposit Account 50-2183 (Reference Number 21.1209).

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